

GP/2152 #4  
PATENT 02-6-52

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 00-1133)

IN THE APPLICATION OF:

Fijolek et al.

Serial No. 09/722,980

Filed: November 27, 2000

Title System And Method For Automatic  
Load Balancing In A Data-Over-  
Cable System



Examiner: To be Assigned

Group Art Unit: 2152

BOX DD  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**TRANSMITTAL LETTER**

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In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Second Supplemental Information Disclosure Statement;
- b. Second Supplemental Form PTO-1449;
- c. Copy of IDS Citations 09/722,980 (4 references);
- d. Return Receipt Postcard.

2. With respect to additional fees:

No additional fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box DD, Washington, D.C. 20231 on this 7<sup>th</sup> day of November, 2001.

By: *Monika Dudek*  
Monika Dudek  
Reg. No. 47,538

PATENT

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SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

BOX DD  
Commissioner for Patents  
Washington, D.C. 20231-9999

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have

not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

### **CITED REFERENCES**

#### **U.S. Patent Documents**

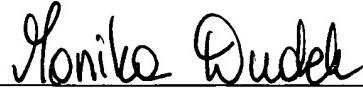
<b>Document Number</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Sub Class</b>	<b>Filing Date of App.</b>
5,430,727	07/04/1995	Callon	370	85.13	05/19/1994
6,212,563	04/03/2001	Beser	709	227	10/01/1998
6,275,853	08/14/2001	Beser et al.	709	223	05/27/1998
6,295,554	09/25/2001	Karadogan et al.	709	219	05/27/1998

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: November 7, 2001

By:



**Monika Dudek  
Registration No. 47,538**

Form PTO-1449 (modified)

Atty. Docket No.

Serial No.

00-1133

09/722,980

## List of Patents and Publications for Applicant's



SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

Applicant

Fijolek et al.

Filing Date:

11/27/2000

Group:

2152

## U.S. Patent Documents

See Page 1

## Foreign Patent Documents

See Page 1

## Other Art

See Page 1

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	5,430,727	07/04/1995	Callon	370	85.13	05/19/1994
	A2	6,212,563	04/03/2001	Beser	709	227	10/01/1998
	A3	6,275,853	08/14/2001	Beser et al.	709	223	05/27/1998
	A4	6,295,554	09/25/2001	Karadogan et al.	709	219	05/27/1998

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1						
	B2						
	B3						
	B4						
	B5						

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	
	C2	
	C3	
	C4	
	C5	
	C6	
	C7	

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EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)